

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

English Language Declaration

As a below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name,

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the inventive design entitled

THREADED FRUSTO-CONICAL INTERBODY  
SPINAL FUSION IMPLANTS

the specification of which

(mark one)

XXX is attached hereto or enclosed herewith.

\_\_\_\_\_ was filed on \_\_\_\_\_ as

\_\_\_\_\_ Application Serial No. \_\_\_\_\_

\_\_\_\_\_ and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose Information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 or §172 of any foreign application(s) for patent or Inventor's certificate listed below and have also identified below any foreign application for patent or Inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner

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provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>08/396,414</u> (Application Serial No.)	<u>02/27/95</u> (Filing Date)	<u>Pending</u> (Status: patented, pending, abandoned, etc.)
<u>08/074,781</u> (Application Serial No.)	<u>06/10/93</u> (Filing Date)	<u>Pending</u> (Status: patented, pending, abandoned, etc.)
<u>07/698,674</u> (Application Serial No.)	<u>05/10/91</u> (Filing Date)	<u>Abandoned</u> (Status: patented, pending, abandoned, etc.)
<u>07/205,935</u> (Application Serial No.)	<u>06/13/88</u> (Filing Date)	<u>Patented</u> (Status: patented, pending, abandoned, etc.)
<u>08/390,131</u> (Application Serial No.)	<u>02/17/95</u> (Filing Date)	<u>Pending</u> (Status: patented, pending, abandoned, etc.)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint Lewis Anten, Registration Number 26,604 and Amedeo Ferraro, Reg. No. 37,129 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please send all correspondence, transmit all faxes, and direct all telephone calls to:

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GARY KARLIN MICHELSON, M.D.  
Full name of sole or joint inventor

[Signature] 6/7/95  
Inventor's signature Date

Venice, California  
Residence

USA  
Citizenship

438 Sherman Canal  
Post Office Address (where mail customarily received)

Venice, California 90291

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Gary K. Michelson )  
Serial No.: 08/480,908 ) Group Art Unit: 3764  
Filed: June 7, 1995 ) Examiner: M. Brown  
For: Threaded Frusto-Conical Interbody )  
Spinal Fusion Implants )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REVOCATION OF ORIGINAL POWER OF ATTORNEY  
AND GRANT OF NEW POWER OF ATTORNEY**

Applicant Gary K. Michelson hereby revokes the previous Power of Attorney  
in the above action to Lewis Anten, Registration No. 26,604

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and hereby grants his power of attorney to **MARTIN & FERRARO, LLP**, Thomas H. Martin, Reg. No. 34,383; Amedeo F. Ferraro, Reg. No. 37,129; and Todd M. Martin, Reg. No. 42,844; both jointly and separately as his attorneys with full power of substitution and revocation to prosecute this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and to transact all business in the Patent and Trademark Office connected therewith, and to receive the Letters Patent.

Please send all future correspondence concerning this application to Martin & Ferraro, LLP at the following address:

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Date: August 1, 2000

  
Gary K. Michelson